

Caitlin J. Scott, Esq. (State Bar No. 310619)
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E-service: eservice@allgteam.com

Attorneys for Plaintiff, NANCY BELLEVILLE

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Nancy Belleville, an Individual

Plaintiff,

V.

PORSCHE CARS NORTH
AMERICA, INC., a Delaware
corporation, and DOES 1 through
20, inclusive,

Defendants.

Case No.: 2:25-cv-2631

[Los Angeles Superior Court Case No.
25NWCV00618]

**DECLARATION OF CAITLIN J.
SCOTT IN SUPPORT OF
PLAINTIFF'S MOTION FOR
REMAND TO STATE COURT**

DATE: May 29, 2025

TIME: May 25, 2013
TIME: 10:00 a.m.

COURTROOM: First Street Courthouse, Courtroom 5B

**Action Filed: February 20, 2025
Trial Date: None**

**DECLARATION OF CAITLIN J. SCOTT IN SUPPORT OF PLAINTIFF'S
MOTION FOR REMAND TO STATE COURT**

1 **DECLARATION OF CAITLIN J. SCOTT**

2 I, Caitlin J. Scott, declare as follows:

3 1. I am an attorney at law duly licensed and entitled to practice in the State of
4 California and admitted to practice before this Court. I make this declaration in
5 support of Plaintiffs' Motion for Remand to State Court. I am an Associate at
6 American Lemon Law Group, attorneys of record for Plaintiff Nancy Belleville. I am
7 the primary handling attorney in this matter on behalf of Plaintiff. In that capacity, I
8 am personally familiar with the facts set forth herein and if called as a witness in this
9 case, I could and would competently testify thereto.

10 2. On February 20, 2025, Plaintiff filed this Song-Beverly Consumer Warranty
11 action in California Superior Court, County of Los Angeles, where it was assigned
12 Case No. 25NWCV00618.

13 3. On March 26, 2025, Defendant PORSCHE CARS NORTH AMERICA, INC.
14 removed this matter from state to Federal court via a notice of removal.

15 4. This motion is made following the conference of counsel pursuant to L.R. 7-3.
16 On April 1, 2025, I emailed Sarah Suard, and requested a phone conversation to
17 discuss in detail, the reasons why Remand is appropriate. On April 10, 2025, Ms.
18 Suard and I telephonically met and conferred regarding the issues in this Motion. The
19 Parties disagreed on whether Defendant met its burden of proof that removal was
20 procedurally and substantively proper. Attached hereto as **EXHIBIT 1** is a true and
21 correct copy of the email thread.

22 I declare under penalty of perjury under the laws of the United States of America
23 that the foregoing is true and correct.

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1 Executed this 25th day of April, at Los Angeles, California
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/s/ Caitlin J. Scott

Caitlin J. Scott, Esq.
Attorney for Plaintiff Nancy Belleville

EXHIBIT 1



RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

From Sarah Suard <sarah@thetafirm.com>

Date Fri 4/11/2025 2:41 PM

To Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Hi Caitlin,

Received. Thank you.

--

Sarah Suard, Esq.
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From: Caitlin Scott <cscott@allgteam.com>

Sent: Thursday, April 10, 2025 12:51 PM

To: Sarah Suard <sarah@thetafirm.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Sarah,

To recap our phone conversation just now, a L.R. 7-3 meet and confer was held. During this meet and confer, I explained it is Plaintiff's position Defendant has not met its requisite burden to show the case in question should have been removed to federal court. I cited the case of *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992), which states: "[f]ederal jurisdiction must be rejected if there is any doubt as to the right of removal in the first instance." Since the Monroney sticker attached to the notice of removal is insufficient for Defendant to meet its burden and does not remove all doubts to the right of removal, Plaintiff will be filing her motion for remand.

However, we also discussed a motion for remand may not be necessary if Defendant will stipulate to remand the case back to state court. You told me you did not have authority at present to enter into such a stipulation but would get back to me.

If I do not hear back from you regarding the proposed stipulation by close of business Wednesday, April 16, 2025, then Plaintiff will be moving forward with filing the motion for remand.

If anything in this email is inconsistent with your understanding of our L.R. 7-3 meet and confer phone call, please advise immediately. Thank you in advance and I look forward to working with you.



Caitlin Scott

Senior Attorney

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From: Sarah Suard <sarah@thetafirm.com>

ID #:105

Sent: Thursday, April 10, 2025 9:48 AM

To: Caitlin Scott <cscott@allteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allteam.com>; Yvette Linares <ylinares@allteam.com>; Kyle Tracy <kyle@allteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDE)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

Yes, today at noon works for me. You can reach me at (213) 315-4328.

--

Sarah Suard, Esq.

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Los Angeles, CA 90025

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From: Caitlin Scott <cscott@allteam.com>

Sent: Thursday, April 10, 2025 9:13 AM

To: Sarah Suard <sarah@thetafirm.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allteam.com>; Yvette Linares <ylinares@allteam.com>; Kyle Tracy <kyle@allteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDE)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Sarah,

Does noon work for you?



Caitlin Scott

Senior Attorney

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From: Sarah Suard <sarah@thetafirm.com>

Sent: Thursday, April 10, 2025 9:02 AM

To: Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetafirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetafirm.com>

Cc: Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDE)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

What time works for you today to meet and confer regarding this case?

Best,

--

Sarah Suard, Esq.

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From: Sarah Suard**Sent:** Monday, April 7, 2025 9:37 AM**To:** 'Caitlin Scott' <cscott@allteam.com>; Audrey Fenton <audrey@thetafirm.com>; 'American Lemon Law Group' <eservice@allteam.com>; E-Service <eservice@thetafirm.com>**Cc:** Soheyl Tahsildooost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>; 'Mariquile Dael' <mdael@allteam.com>; 'Yvette Linares' <ylinares@allteam.com>; 'Kyle Tracy' <kyle@allteam.com>**Subject:** RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDEx)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Hi Caitlin,

I hope this finds you well. I am following up on a voicemail that I left you regarding the above-mentioned matter. I look forward to talking with you on Thursday regarding our meet and confer. In the meantime, we are working on authority, but our client wants to see the numbers before they approve anything. Will you please send us a copy of the sales contract? Thank you for your cooperation in this matter.

Best,
Sarah

--

Sarah Suard, Esq.
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Los Angeles, CA 90025
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From: Sarah Suard

Sent: Friday, April 4, 2025 9:59 AM

To: Caitlin Scott <cscott@allgteam.com>; Audrey Fenton <audrey@thetfirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetfirm.com>

Cc: Soheyl Tahsildooost <st@thetfirm.com>; Mike Ayzen <ma@thetfirm.com>; Steve Correa <scorrea@thetfirm.com>; Mehgan Gallagher <mg@thetfirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: RE: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDE)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Counsel,

Thank you for reaching out to me. April 10, 2025 works for my office.

Best,

--

Sarah Suard, Esq.

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From: Caitlin Scott <cscott@allgteam.com>

Sent: Tuesday, April 1, 2025 3:32 PM

To: Audrey Fenton <audrey@thetfirm.com>; American Lemon Law Group <eservice@allgteam.com>; E-Service <eservice@thetfirm.com>

Cc: Soheyl Tahsildooost <st@thetfirm.com>; Mike Ayzen <ma@thetfirm.com>; Steve Correa <scorrea@thetfirm.com>; Sarah Suard <sarah@thetfirm.com>; Mehgan Gallagher <mg@thetfirm.com>; Mariquile Dael <mdael@allgteam.com>; Yvette Linares <ylinares@allgteam.com>; Kyle Tracy <kyle@allgteam.com>

Subject: Re: Belleville, Nancy v. PCNA (2:25-cv-02631 HDV (JDE)) - Notice of Removal - Request to Meet and Confer Pursuant to L.R. 7-3 to Discuss Plaintiff's Contemplated Motion for Remand

Counsel,

Pursuant to Local Rules 7-3, prior to a party filing any motion, the parties must meet and confer to discuss thoroughly, preferably in person, the substance of the contemplated motion and any potential resolution seven (7) days prior to the filing of any motion. Plaintiff intends to file a

Case 2:25-cv-02631-HDV-JDE Document 12-2 Filed 04/25/25 Page 11 of 12 Page
motion for remand. Please advise of your availability to discuss the substance of this motion on
Friday, April 4, 2025; April 9, 2025; or April 10, 2025. If none of these dates work, please provide
alternate dates and times. Thank you in advance.

I look forward to receiving your response.



Caitlin Scott

Senior Attorney

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From: Audrey Fenton <audrey@thetafirm.com>
Sent: Wednesday, March 26, 2025 1:49 PM
To: American Lemon Law Group <eservice@allgteam.com>
Cc: Soheyl Tahsildost <st@thetafirm.com>; Mike Ayzen <ma@thetafirm.com>; Steve Correa <scorrea@thetafirm.com>; Sarah Suard <sarah@thetafirm.com>; Mehgan Gallagher <mg@thetafirm.com>
Subject: Belleville, Nancy v. PCNA - Notice of Removal

Counsel,

Attached please find Defendant's Notice of Removal and supporting documents.

Best,

--
Audrey Fenton
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Los Angeles, CA 90025

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